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**RESOLUTION NO. 05-455**

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING THE BENEFIT FEE FOR **MAIN 14B, FOUR MILE CREEK SEWER (SOUTH OF 21ST, EAST OF 127TH ST. EAST) 468-84034** IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ASSESSMENT OF THE CONSTRUCTION OF **MAIN 14B, FOUR MILE CREEK SEWER (SOUTH OF 21ST, EAST OF 127TH ST. EAST) 468-84034** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. **05-324** adopted on **June 21, 2005**, is hereby rescinded.

SECTION 2. That the City Clerk has received a Petition requesting that certain properties be served by **Main 14B, Four Mile Creek Sewer (south of 21st, east of 127th St. East) 468-84034** and it is necessary and in the public interest to assess a benefit fee against property owners which benefit from said sanitary sewer main but which were not included in the original improvement district.

SECTION 3. That, in accordance with the provisions of K.S.A. 12-6a19, a benefit fee shall be assessed against the improvement district with respect to the improvements district's share of the cost of the Sanitary Sewer Main, such benefit fee to be in the amount of **Thirteen Thousand Two Hundred Dollars (\$13,200)**.

SECTION 4. That the benefit fee for said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

**REED'S COVE 3RD ADDITION**

Lots 1 through 9, Block A  
Lots 11 through 22, Block A  
Lots 24 and 25, Block A  
Lots 27 through 29, Block A  
Lots 1 through 18, Block B

SECTION 5. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis.

That the method of assessment of all costs of the improvement for which the

improvement district shall be liable shall be on a fractional basis: Lots 1 through 9, Lots 11 through 22, Lots 24 through 25, and Lots 27 through 29, Block A, and Lots 1 through 18, Block B, REED'S COVE 3RD ADDITION shall each pay 1/44 of the total cost of the improvements.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. Be it further resolved that the benefit fee and associated costs for the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, September 13, 2005.

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CARLOS MAYANS, MAYOR

ATTEST:

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KAREN SUBLETT, CITY CLERK

(SEAL)